

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**CITY OF SANTA CLARA
Employer**

and

Case 32-WH-200183

**PUBLIC SAFETY NON-SWORN EMPLOYEES
ASSOCIATION, UNIT 10
Petitioner**

**CERTIFICATION OF REPRESENTATIVE AS BONA FIDE
UNDER SECTION 7(B) OF THE FAIR LABOR STANDARDS ACT OF 1938**

On June 6, 2017, Public Safety Non-Sworn Employees Association, Unit 10 (the Petitioner) and City of Santa Clara (the Employer) jointly submitted to the Regional Director for Region 32 of the National Labor Relations Board a request for certification of representative as bona fide under Section 7(b) of the Fair Labor Standards Act of 1938 (FLSA), 29 U.S.C. § 207(b).

On July 21, 2017, the Regional Director for Region 32 served on the parties a Notice to Show Cause why the Board should not grant the request. No response was filed.¹ As the Region's investigation revealed that the Petitioner is the recognized exclusive collective-bargaining representative of the unit employees,² the Regional Director recommended to the Board that the requested certification be issued.

¹ The record indicates that a prior Notice to Show Cause issued on June 9, 2017, and in response, Santa Clara County Fire Fighters Local 1171 objected to certain classifications included in the unit. Thereafter, the Employer, the Petitioner, and Santa Clara County Firefighters Local 1171 agreed that the appropriate unit is as set forth herein.

² The record indicates that the Employer is a public sector employer, and that the Employer and the Petitioner had reached an agreement on a successor MOU, which, at the time of the submission of this proceeding to the Board, had been ratified by the

No party having shown cause why the requested certification should not be issued, the National Labor Relations Board certifies that Public Safety Non-Sworn Employees Association, Unit 10 is a bona fide representative, for purposes of Section 7(b) of the FLSA, of the employees of City of Santa Clara in the following unit:³

All Community Service Officer I, Community Service Officer II, Fire Prevention Specialist I, Fire Prevention Specialist II, Jail Service Officer, Police Records Specialist I, Police Records Specialist II, Police Records Supervisor, Public Safety Dispatcher I, Public Safety Dispatcher II, Public Safety Dispatcher III, and Senior Public Safety Dispatcher of the City of Santa Clara.

Dated, Washington, D.C., November 30, 2017

By direction of the Board:

Roxanne Rothschild
Deputy Executive Secretary

Petitioner's membership, approved by the City Council, and was in the process of being finalized.

³ A certificate of representative as bona fide for purposes of the FLSA does not necessarily establish the right of the organization so certified to be recognized as the exclusive bargaining representative of employees within a particular bargaining unit under the provisions of the National Labor Relations Act. See *County of Alameda*, 322 NLRB 614 (1996).